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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12  
13 v.  
14 CONOR CLIMO,  
15 Defendant.

Case No. 2:19-cr-00232-JCM-NJK

**STIPULATION TO CONTINUE  
TRIAL DATES**  
(First Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A.  
17 Trutanich, United States Attorney, and Nicholas D. Dickinson, Assistant United States  
18 Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public  
19 Defender, and Paul D. Riddle, Assistant Federal Public Defender, counsel for Conor Climo,  
20 that the calendar call currently scheduled for November 13, 2019, and the trial currently  
21 scheduled for November 18, 2019, be vacated and continued to a date and time convenient to  
22 the Court, but no sooner than thirty (30) days.

23 This Stipulation is entered into for the following reasons:

24 1. Counsel for the defendant needs additional time to conduct investigation in this  
25 case in order to determine whether there are any pretrial issues that must be litigated and  
26 whether the case will ultimately go to trial or will be resolved through negotiations.

1           2.       The defendant is incarcerated and does not object to the continuance.

2           3.       The parties agree to the continuance.

3           4.       The additional time requested herein is not sought for purposes of delay, but  
4 merely to allow counsel for defendant sufficient time within which to be able to effectively and  
5 complete investigation of the discovery materials provided.

6           5.       Additionally, denial of this request for continuance could result in a miscarriage  
7 of justice. The additional time requested by this Stipulation is excludable in computing the time  
8 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United  
9 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,  
10 Section 3161(h)(7)(B)(i), (iv).

11           This is the first request to continue trial dates filed herein.

12           DATED this 12th day of November, 2019.

13  
14       RENE L. VALLADARES  
15       Federal Public Defender

          NICHOLAS A. TRUTANICH  
          United States Attorney

16       By /s/ Paul D. Riddle

          By /s/ Nicholas D. Dickinson

17       PAUL D. RIDDLE  
18       Assistant Federal Public Defender

          NICHOLAS D. DICKINSON  
          Assistant United States Attorney

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CONOR CLIMO,

Defendant.

Case No. 2:19-cr-00232-JCM-NJK

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW AND ORDER**

**FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel for the defendant needs additional time to conduct investigation in this case in order to determine whether there are any pretrial issues that must be litigated and whether the case will ultimately go to trial or will be resolved through negotiations.

2. The defendant is incarcerated and does not object to the continuance.

3. The parties agree to the continuance.

4. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for defendant sufficient time within which to be able to effectively and complete investigation of the discovery materials provided.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

**CONCLUSIONS OF LAW**

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), when the considering the facts under Title 18, United States Code, §§ 316(h)(7)(B) and 3161(h)(7)(B)(iv).

**ORDER**

IT IS THEREFORE ORDERED that trial briefs, proposed voir dire questions, proposed jury instructions, and a list of the Government's prospective witnesses must be electronically submitted to the Court by the \_\_\_\_ day of \_\_\_\_\_, 2020, by the hour of 4:00 p.m.

IT IS FURTHER ORDERED that the calendar call currently scheduled for November 13, 2019, at 1:30 p.m., be vacated and continued to \_\_\_\_\_ at the hour of \_\_\_\_:\_\_\_\_.m.; and the trial currently scheduled for November 18, 2019, at the hour of 9:00 a.m., be vacated and continued to \_\_\_\_\_ at the hour of \_\_\_\_:\_\_\_\_.m.

DATED this \_\_\_\_ day of November, 2019.

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UNITED STATES DISTRICT JUDGE